

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

BRUCE MACDONALD, Individually and on Behalf of All Others Similarly Situated,

Case No. 3:17-cv-07095-RS

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S EX PARTE
APPLICATION FOR LEAVE TO
EFFECT ELECTRONIC SERVICE
ON DEFENDANTS RESIDENT
OUTSIDE THE UNITED STATES**

Plaintiff.

V_a

DYNAMIC LEDGER SOLUTIONS, INC., a
Delaware corporation, TEZOS
STIFTUNG, a Swiss Foundation,
KATHLEEN BREITMAN, an
Individual, ARTHUR BREITMAN,
an Individual, TIMOTHY COOK DRAPER, an
individual, DRAPER ASSOCIATES, JOHANN
GEVERS, DIEGO PONZ, GUIDO SCHMITZ-
KRUMMACHER, BITCOIN SUISSE AG,
NIKLAS NIKOLAJSEN and DOES 1-100,
INCLUSIVE.

Defendants.

This matter comes before the Court on the application of Plaintiff Bruce MacDonald (“Plaintiff”) for an Order pursuant to Federal Rules of Civil Procedure 4(f)(3) and 4(h)(2) permitting Plaintiff to serve Defendants Tezos Stiftung, Johann Gevers, Diego Ponz, Guido Schmitz-Krummacher, Bitcoin Suisse AG and Niklas Nikolajsen (the “Swiss Defendants”) by electronic means.

Having reviewed the materials submitted and being fully advised, the Court GRANTS Plaintiff's application as follows:

1. The Court GRANTS the Application, finding that Plaintiff has shown (1) the Swiss Defendants are not within any judicial district of the United States; (2) service by electronic means is not prohibited by any international agreement, (3) service by the electronic means specified below comports with constitutional notions of due process and is reasonably calculated to apprise the Swiss Defendants of the pendency of the action and afford them an opportunity to respond.

2. The Court hereby orders that Plaintiff may effect service on the Swiss Defendants as follows:

- a. Upon **Tezos Stiftung and Diego Ponz** by email to contact@tezos.ch and support@tezos.ch.
- b. Upon **Johann Gevers** by email to johann@monetas.net and by messages sent to his Twitter account, <https://twitter.com/johanngevers>, giving notice of the lawsuit and directing him to a link containing copies of the complaint, summons, and all other materials required to be served.
- c. Upon **Guido Schmitz-Krummacher** by email to info@sielva-management.com and by a message sent to his LinkedIn account, <https://www.linkedin.com/in/guidos1/>, giving notice of the lawsuit and directing him to a link containing copies of the complaint, summons, and all other materials required to be served

1 d. Upon Bitcoin Suisse AG and Niklas Nikolajsen: by email to
2 inquiry@bitcoinsuisse.ch and by a message sent to Mr. Nikolajsen's LinkedIn
3 account, <https://www.linkedin.com/in/niklas-nikolajsen-0a452848/>, giving
4 notice of the lawsuit and directing him to a link containing copies of the
5 complaint, summons, and all other materials required to be served.
6

7 **DATED:** 12/14/17



The Hon. Richard Seeborg
United States District Judge

10 Presented by:
11

12 DATED: December 14, 2017

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39 [PROPOSED] ORDER GRANTING PLAINTIFFS' EX-PARTE APPLICATION FOR LEAVE TO EFFECT
40 ELECTRONIC SERVICE ON DEFENDANTS RESIDENT OUTSIDE THE UNITED STATES APPLICATION FOR
41 TRO
42 CASE NO. 17-CV-07095-RS
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Attorneys for Plaintiffs

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